

B. EFFECTIVE DATE FOR CHANGES**WAC 388-418-0020 How the department determines the date a change affects the benefit amount.**

- (1) Unless otherwise specified, the rules in this chapter refer to cash, food and medical assistance benefits.
- (2) When a change causes an increase in benefits, the client must provide proof of the change before we adjust the benefit amount.
 - (a) The change affects the next month after the change is reported if the client provides verification within 10 days from the date we request verification.
 - (b) The change affects the next month after the verification is received if the client provides verification after 10 days from the date we request verification.
 - (c) When the client is entitled to receive additional benefits, the department must send the additional amount within 10 days of the day the client provides requested verification.
- (3) When a change causes a decrease in benefits:
 - (a) If the client reports the change within the time limits in WAC 388-418-0005, the change affects the first month following the advance notice period. The advance notice period:
 - (i) Begins on the day we send the client a notice about the change, and
 - (ii) Is determined according to the rules in WAC 388-458-0010.
 - (b) If the client fails to report the change within the time limits in WAC 388-418-0005:
 - (i) The change affects the first month following the day the advance notice period would end if the client reported the change on time, allowing:

- (A) Ten days for the client to report the change, and
 - (B) Ten days for the advance notice period to begin.
 - (ii) We continue assistance unchanged through the advance notice period when the advance notice period ends later than the effective date.
 - (iii) We establish an overpayment claim according to the rules in chapter 388-410 WAC when benefits continue beyond the effective date.
- (4) Within 10 days of the day we learn about a change, the department:
- (a) Sends advance notice according to the rules in chapter 388-458 WAC; and
 - (b) Takes necessary action to correct the benefit. Action on a change is delayed when the client requests a hearing about a proposed decrease in benefits before the effective date or within the advance notice period.
- (5) When the client requests a hearing and receives continued benefits:
- (a) The department continues the same benefits received prior to the advance notice of reduction until the earliest of the following events occur:
 - (i) For food assistance only, the client's certification period expires;
 - (ii) The end of the month the fair hearing decision is mailed;
 - (iii) The client states in writing that the assistance unit does not want continued benefits;
 - (iv) The client withdraws the fair hearing request in writing; or
 - (v) The client abandons the fair hearing request; or
 - (vi) An administrative law judge issues a written order that ends continued benefits prior to the fair hearing.
 - (b) The department establishes an overpayment claim according to the rules

in chapter 388-410 WAC when the hearing decision agrees with the department's action.

- (6) Some changes have a specific effective date as follows:
- (a) When cash assistance benefits increase because a person is added to the assistance unit, we use the effective date rules for applications in WAC 388-406-0055.
 - (b) When cash assistance benefits increase because the household becomes eligible for a higher payment standard, we use the date the change occurred.
 - (c) When a change in law or regulation changes the benefit amount, we use the date specified by the law or regulation.
 - (d) When institutional medical assistance participation changes, we calculate the new participation amount beginning with the month the income or allowable expense changes.

CLARIFYING INFORMATION

1. See **NOTICES and LETTERS** to determine advance notice time limits.
2. See **BENEFIT ERRORS** when the change is not reported timely or the department did not make the change timely.